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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,388	07/25/2003	Manish Mangal	2225	3928

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EXAMINER

FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/627,388

**Applicant(s)**

MANGAL ET AL

**Examiner**

Keith T. Ferguson

**Art Unit**

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Claim Objections***

1. Claim 11 is objected to because of the following informalities: Claim 11, line 4, the phrase "remote base station" should recite "remote base station controller". Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,3-11,13-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Haller et al..

The claimed invention reads on Haller et al. as follows:

Regarding claims 1,3 and 8, Haller et al. discloses a method (fig. 3) of allocating call processing resources (paragraph 0022) comprising: receiving at a base

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transceiver station a signal sent wirelessly from a client station (paragraph 0036 lines 5-8), selecting one of multiple base station controllers to which to route the signal from the base transceiver station (paragraph 0037 lines 1-17); and routing the signal from the base transceiver station to the selected base station controller (paragraph 0037 lines 1-17 and paragraph 0038 lines 1-5).

Regarding claims 4-6 and 14-16, Haller et al. discloses detecting particular content (call set up information) (inherent, as a Mobile identification number originated from the wireless user when registering with a wireless network before dialing a phone number to ma network, as taught in paragraph 0036 lines 5-8) of the signal (paragraph 0036 lines 5-8); and responsively selecting one controller based at least in part on the particular content of the signal (paragraph 0037 lines 1-17).

Regarding claims 7 and 17, Haller et al. discloses sending the signal into an IP network (packet-switched network) to the selected base station controller (paragraph 0042 lines 4-14).

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Regarding claim 9, Haller et al. discloses a method (fig. 3) comprising receiving at a base transceiver station a first signal sent wirelessly from a client station (paragraph 0042 lines 8-16); selecting a first one of multiple base station controllers to which to route the first signal from the base transceiver station, (paragraph 0042 lines 8-16) and routing the first signal over a IP network (packet-switched network) from the base transceiver station to the first selected base station controller (paragraph 0042 lines 4-16); receiving at the base transceiver station a second signal sent wirelessly from a client station; and selecting a second one of multiple base station controllers to which to route the second signal from the base transceiver station (paragraph 0042 lines 14-23), and routing the second signal over the packet-switched network from the base transceiver station to the second selected base station controller (paragraph 0042 lines 14-23).

Regarding claims 10,11,13,18 and 19 Haller et al. discloses a base transceiver station (paragraph 0034 and fig. 4 number 80) comprising: an antenna system configured to wirelessly receive signals from client stations

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(paragraph 0034 and paragraph 0036); and control logic tied locally to the antenna system (paragraph 0034), wherein the antenna system passes to the control logic the signals that the antenna system receives wirelessly from client stations (paragraph 0034 and paragraph 0036), and wherein the control logic in turn passes the signals to a remote base station controller (paragraph 0034 and paragraph 0036), wherein the control logic is arranged to select one of multiple remote base station controllers to which to route a given signal received by the antenna system (paragraph 0037, paragraph 0038 and paragraph 0042), and to then route the given signal to the selected remote base station controller paragraph 0037, paragraph 0038 and paragraph 0042). Haller et al. further discloses selecting a first one of multiple base station controllers to which to route the first signal from the base transceiver station, (paragraph 0042 lines 8-16) and routing the first signal over a IP network (packet-switched network) from the base transceiver station to the first selected base station controller (paragraph 0042 lines 4-16); receiving at the base transceiver station a second signal sent wirelessly from a client station; and selecting a second one of multiple base station controllers to which to route the

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second signal from the base transceiver station (paragraph 0042 lines 14-23), and routing the second signal over the packet-switched network from the base transceiver station to the second selected base station controller (paragraph 0042 lines 14-23).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haller et al. in view of Nakashima.

Regarding claims 2 and 12, Haller et al. discloses a method/base transceiver station as discussed supra in claims 1 and 10 above. Haller et al. differs from claims 2 and 12 of the present invention in that it does not explicitly disclose selecting the one base station controller based at least in part on a current time. Nakashima teaches at the time a mobile call has occurred, a base station controller is selected based upon its ability threshold to handle the call (paragraph 0013 lines 5-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haller et al. with selecting the one base station controller based at least in part on a current time in order for the base station to select a base station

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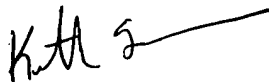
controller based upon the bandwidth available when a call is placed by the wireless user, as taught by Nakashima.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson  
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June 9, 2005